

**United States District Court  
District of Vermont**

U. S. DISTRICT COURT DISTRICT OF VERMONT FILED <i>lw</i> BY <u>06/01/2006</u> DEPUTY CLERK
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WAYNE SENVILLE; DONALD HORENSTEIN; :  
 VERMONT PUBLIC INTEREST RESEARCH :  
 GROUP, INC.; FRIENDS OF THE EARTH, :  
 INC.; SIERRA CLUB, INC.; and :  
 CONSERVATION LAW FOUNDATION, :

Plaintiffs,

v.

MARY E. PETERS in her official capacity :  
 as Administrator of the Federal Highway :  
 Administration (FHWA), and DAWN TERRILL, :  
 in her official capacity :  
 as Secretary of the Vermont Agency :  
 of Transportation (VTrans), :

Defendants.

**AMENDED JUDGMENT  
IN A CIVIL CASE**

CASE NUMBER: 2:03-CV-279

       **Jury Verdict.** This action came before the Court for trial by jury. The issues have been tried and the jury has rendered its verdict.

  X   **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that pursuant to the Court's Opinion and Order (Document No. 87) filed February 22, 2005, defendant's Motion to Dismiss FOIA Action for Lack of Jurisdiction (Document No. 70) is GRANTED. JUDGMENT is hereby entered for defendant Mary Peters against plaintiffs Wayne Senville, Donald Horenstein, Vermont Public Interest Research Group, Inc., Friends of the Earth, Inc., Sierra Club, Inc. and Conservation Law Foundation on the FOIA Claims.

Pursuant to the Court's Amended Opinion and Order (Document No. 68) filed May 24, 2004, plaintiff's Motion for Partial Summary Judgment (Document No. 29) is GRANTED. FHWA has violated NEPA, CEQ and FHWA regulations in approving Segments A-B of the CCCH. Defendants are hereby enjoined from construction and/or ground-disturbing work in connection with Segments A-B until such time as defendants have fully complied with the National Environmental Policy Act. JUDGMENT is hereby entered for plaintiffs Wayne Senville, Donald Horenstein, Vermont Public Interest Research Group, Inc., Friends of the Earth, Inc., Sierra Club, Inc. and Conservation Law Foundation against defendants Mary E. Peters and Dawn Terrill on the NEPA Claims.

Date: June 1, 2006

JUDGMENT ENTERED ON DOCKET

DATE: 06/01/2006

RICHARD PAUL WASKO  
Clerk

*Risa Wright*  
(By) Deputy Clerk